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TO: MAIL STOP APPEAL BRIEF-PATENTS

RE: PATENT APPLICATION ATTORNEY DOCKET NO. 10005668-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S): Shell S. Simpson et al

CONFIRMATION NO: 5716

SERIAL NO.: 09/873,183

GROUP ART UNIT: 2154

FILED: June 5, 2001

EXAMINER: Lin, Kenny S.

SUBJECT: Job Ticket Service

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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PATENT APPLICATION

ATTORNEY DOCKET NO. 10005668 -1IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Shell S. Simpson et al

Confirmation No.: 5716

Application No.: 09/873,183

Examiner: Kenny S. Lin

Filing Date: June 05, 2001

Group Art Unit: 2154

Title: Job Ticket Service

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450TRANSMITTAL OF APPEAL BRIEFTransmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on Sept. 6, 2005.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:☐ 1st Month
\$120☐ 2nd Month
\$450☐ 3rd Month
\$1020☐ 4th Month
\$1590☐ The extension fee has already been filed in this application.☐ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500 . At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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Typed Name: Chris Guthrie

Signature: Chris Guthrie

Respectfully submitted,

Shell S. Simpson et al

By Nathan Rieth

Nathan Rieth

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Shell S. Simpson et al)	
Serial No.: 09/873,183)	Group Art Unit: 2154
Filed: June 5, 2001)	Examiner: Kenny S. Lin
For: Job Ticket Service)	Atty. Docket No.: 10005668-1
)	

APPEAL BRIEF UNDER 37 C.F.R. §41.37

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Appeal Brief under 37 C.F.R. §41.37 is submitted in support of the Notice of Appeal filed September 6, 2005, responding to the Final Office Action mailed May 5, 2005.

It is not believed that extensions of time or fees are required to consider this Appeal Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

I. Real Party in Interest

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

II. Related Appeals and Interferences

There are no known related appeals or interferences that will affect or be affected by a decision in this Appeal.

III. Status of Claims

Claims 1-7, 13-20 and 23 stand finally rejected. No claims have been allowed. The final rejections of claims 1-7, 13-20 and 23 are appealed.

IV. Status of Amendments

This application was originally filed on June 5, 2001 with twenty-two (22) claims. In "Amendment A", filed February 10, 2005, Applicant amended claims 1-8, 13 and 17, canceled claims 9-12 and 21-22, and added new claim 23. In an "Amendment After Final Rejection (37 CFR 1.116) and Response To Advisory Action", filed July 29, 2005, Applicant amended claims 1, 6, 7, 13 and 23, and canceled claim 8. All of these amendments have been entered and no other amendments have been made to any of the

pending claims. Accordingly, claims 1-7, 13-20 and 23 are the subject of this appeal. The claims in the attached Claims Appendix (see below) reflect the present state of those claims.

V. Summary of Claimed Subject Matter

The claimed inventions are summarized below with reference numerals and references to the written description ("specification") and drawings. All references are shown in the application at least where indicated herein.

In claim 1, Applicant claims an apparatus that controls tasks in a multi-tasking computer network (20, Fig. 3). Specification, page 5, lines 24-31. In claim 1, the apparatus comprises a job ticket service (60, Fig. 4) configured to function as a centralized service for controlling access to original job tickets (61, Fig. 4) where a job ticket is configured to define a job including one or more tasks to be performed and includes a job ticket reference. Specification, page 7, line 33 to page 8, line 12; page 22, line 29 to page 23, line 22. The job ticket service (60, Fig. 4) is configured to receive status updates from task processors (80, Figs. 3 and 4) that are responsible for performing a task from an original job ticket where the task is associated to the job ticket reference and to update the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket. Specification, page 8, line 26 to page 9, line 9; page 22, line 29 to page 23, line 22. In claim 1, the apparatus also comprises work flow controller (70, Fig. 4) configured to separately assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing

the job ticket reference to each selected task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider. Specification, page 9, line 10 to page 10, line 3; page 11, lines 19-26.

In claim 13, Applicant claims a method for controlling tasks in a multi-tasking network (20, Fig. 3), comprising receiving a job ticket at a job ticket service, creating a job ticket reference to the job ticket (72, Fig. 6; 125, Fig. 9), storing the job ticket reference (73, Fig. 6), controlling access to original job tickets (75, 76, Fig. 6; 110, 130, Fig. 9) by the job ticket service where the job ticket is configured to define a job including one or more tasks to be performed, assigning the one or more tasks from a single original job ticket to selected processors (105, 145, Fig. 9) by distributing a ticket copy of the single original job ticket and distributing the job ticket reference (125, Fig. 9) to each selected processor that identifies the single original job ticket and the job ticket service, where the selected processors can include an external service provider, receiving status updates from the selected processors (140, Fig. 9) relating to an assigned task that are identified by the job ticket reference, and updating the original job ticket (77, Fig. 6; 135, Fig. 9) associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket. Specification, page 7, line 33 to page 8, line 12; page 22, line 29 to page 23, line 22; page 25, line 31 to page 27, line 32.

In claim 23, Applicant claims a computer-readable medium for providing computer executable instructions for causing a computer to perform a method. Specification, page 6, line 9 to line 12. In claim 23, the method comprises controlling

access (75, 76, Fig. 6; 110, 130, Fig. 9) to original job tickets where a job ticket is configured to define a job including one or more tasks to be performed, assigning different tasks from a single original job ticket to different task processors (105, 145, Fig. 9) by distributing a ticket copy of the single original job ticket and distributing a job ticket reference to each task processor that identifies the single original job ticket and a job ticket service, where the different task processors can include an external service provider, receiving status updates (140, Fig. 9) from the different task processors relating to an assigned task that are identified by the job ticket reference, and updating the original job ticket (77, Fig. 6; 135, Fig. 9) associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket.

VI. Grounds of Rejection to be Reviewed on Appeal

The following grounds of rejection are to be reviewed on appeal:

1. Claims 1-3, 13-14 and 23 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch et al. ("Lynch", U.S. Pat. No. 6,581,097) in view of Armstrong (U.S. Pub. No. 2002/0078083). Applicant respectfully traverses this rejection.

2. Claims 4, 6-7 and 15-16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch and Armstrong as applied to claims 1-3 and 13-14 above, and further in view of Kovnat et al. ("Kovnat", U.S. Pat. No. 5,619,649). Applicant respectfully traverses this rejection.

3. Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch and Armstrong as applied to claims 1-3 and 13-14 above, and further in view of Thornton et al. ("Thornton", U.S. Pub. No. 2002/0078130). Applicant respectfully traverses this rejection.

4. Claims 17 and 20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch and Armstrong as applied to claims 1-3 and 13-14 above, and further in view of Ferlitsch et al. ("Ferlitsch", U.S. Pub. No. 2002/0113989). Applicant respectfully traverses this rejection.

5. Claims 18-19 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch, Armstrong and Ferlitsch as applied to claim 17 above, and further in view of Morales, Jr. et al. ("Morales", U.S. Pat. No. 6,687,834). Applicant respectfully traverses this rejection.

VII. Arguments

The Appellant respectfully submits that claims 1-7, 13-20 and 23 are not obvious under 35 U.S.C. § 103(a). Applicant respectfully requests that the Board of Patent Appeals overturn the final rejections of those claims for the reasons discussed below.

I. Claim Rejections - 35 U.S.C. § 103(a)

Claims 1-7, 13-20 and 23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over various references as noted below. Applicant respectfully traverses the rejections.

As has been acknowledged by the Court of Appeals for the Federal Circuit, the U.S. Patent and Trademark Office ("USPTO") has the burden under section 103 to establish a *prima facie* case of obviousness by showing some objective teaching in the prior art or generally available knowledge of one of ordinary skill in the art that would lead that individual to the claimed invention. *See In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). The Manual of Patent Examining Procedure (MPEP) section 2143 discusses the requirements of a *prima facie* case for obviousness. That section provides as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teaching. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

In the present case, the prior art references, when combined, do not teach or suggest all of Applicant's claim limitations. Applicant discusses the applied references and

Applicant's claims in the following.

A. 103(a) Rejections over Lynch, Armstrong, Kovnat, Thornton, Ferlitsch, and Morales

Claims 1-3, 13-14 and 23 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch in view of Armstrong. Furthermore, as noted above, claims 4-7 and 15-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over various other combinations of the references Lynch, Armstrong, Kovnat, Thornton, Ferlitsch, and Morales. Applicant respectfully traverses the rejections.

Lynch discloses a method of establishing/assembling a job ticket by matching a unique job message identifier with templates in a job ticket template database (Abstract; co. 3, lines 55-58; col. 6, lines 64-67). Lynch does not disclose updating or modifying a job ticket. The job message identifier in Lynch is not a job ticket. "[T]he identifier is representative of a particular print processing job" (Abstract; col. 2, lines 59-63). The identifier includes elements that are identified and mapped to templates in the job ticket template database in an attempt to match the identifier with a template in the database (Abstract; col. 3, lines 1-8; col. 7, lines 37-40). If a match exists, the matched template is selected to establish a new job ticket (Abstract; col. 3, lines 15-17; col. 8, lines 27-33). This "new job ticket" is an original job ticket. It is not a modification of any previously existing job ticket. If there is no match, then the next closest match between the identifier and any one of the templates is determined to establish a match based on a set of rules and element weighting (Abstract; col. 3, lines 17-21; col. 8, lines 40-43). Again, if a match exists, the matched template is selected to establish a new job ticket (Abstract; col. 3, lines 25-27; col. 8, lines 37-43). Again, this "new job ticket" is an original job

ticket. It is not a modification of any previously existing job ticket. If no match is established based on the set of rules and element weighting, then a new job ticket template is generated based on a new set of job parameters. The parameters are evaluated and then embedded in a new job ticket (Abstract; col. 3, lines 32-35; col. 8, lines 44-54). Again, this "new job ticket" is an original job ticket. It is not a modification of any previously existing job ticket.

Armstrong discloses a method and computer interface for assembling books. The interface comprises a display and a plurality of directories. Each directory identifies a selected group of documents to be printed and a plurality of objects, and each object is associated with a visual representation on the display of a plurality of different ordered stock media. The interface interacts with software that opens a directory and performs a predetermined sorting of the ordered media contained in each directory. The software sorts the directories for each ordered media type. An operator can use the graphic user interface to move a selected directory to a predefined location on the screen whereby the software performs the sorting function automatically. (Abstract; par. 0011).

1. Claims 1-7

With reference first to Applicant's independent claim 1, Applicant recites (emphasis added):

1. An apparatus that controls tasks in a multi-tasking computer network, comprising:
 - a job ticket service, being configured to:
 - function as a centralized service for controlling access to original job tickets where a job ticket is configured to define a job

including one or more tasks to be performed and includes a job ticket reference;

receive status updates from task processors that are responsible for performing a task from an original job ticket where the task is associated to the job ticket reference; and

update the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket; and

a work flow controller configured to separately assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider.

(a) “Receive status updates from task processors that are responsible for performing a task from an original job ticket where the task is associated to the job ticket reference”

In the Final Office Action, the Examiner argues that Lynch teaches “receiving status updates from task processors that are responsible for performing a task from an original job ticket where the task is associated to the job ticket reference”. The Examiner relies on Lynch at col. 4, line 64 to col. 5, line 1; col. 5, line 22-29; and col. 7, 47-53. However, nowhere in these cited passages, or anywhere else in Lynch, is there a discussion or teaching of “receiv[ing] status updates from task processors that are responsible for performing a task from an original job ticket where the task is associated to the job ticket reference” as recited in Applicant’s claim 1. For example, at col. 4, lines 64-67 to col. 5, line 1, Lynch recites the following:

Print service clients 50 is comprised of: print servers 52 which are receiving one or more print streams from InStream server 62 and reporting back statistical or process data which can be used by InStream clients 70 to manage the document creation process; digital document delivery systems 54 which enable high-volume mail producers to utilize existing legacy-generated print streams, and the images they contain, to further access internet billing and bill presentment applications; and, finishing equipment 56 for actually producing the document defined by the print stream.

At col. 5, lines 22-29, Lynch recites the following:

InStream clients 70 further comprises: reports 72 for producing print stream and finishing reports that can be used to monitor the system, determine optimal peripheral and system efficiencies or detail production; inventory 74 for monitoring system-wide capacity; accounting 76 for monitoring time and expense for sub-routines or document production activities; and, user interface 78 for monitoring of client activities.

Furthermore, at col. 7, lines 47-53, Lynch recites the following:

The server attempts an exact match first; if no match occurs, the server looks recursively for the next closest match. If no match is found, a system event is logged. If the match is not exact (i.e., it matches to an "*"), a system event is logged to inform the system operator for future reference or reporting purposes.

The system allows for the exclusion of jobs from InStream processing. If the matching rules for a message

identifier, or range of identifiers, indicate exclusion from the matching routine, then any associated JTTs are not run. If no matches are found for a message identifier, the default case of "*" is used; however, if the case were marked as "excluded," then a system event would be logged.

There is simply no discussion in these passages that is the same or remotely analogous to "receive[ing] status updates from task processors that are responsible for performing a task from an original job ticket where the task is associated to the job ticket reference" as recited in Applicant's claim 1. In the first two passages above, Lynch is discussing the general flow of a print stream through print servers that report process data which helps to manage a document creation process. The passages provide no indication whatever that there is a link between such reports and any specific task processor responsible for performing a specific task from an original job ticket as recited in Applicant's claim 1.

In the third passage above, Lynch is discussing a matching process between elements of a job message identifier and a job ticket template in a job ticket database. This has nothing to do with status updates from a task processor responsible for performing a task from an original job ticket. As noted above, Lynch discloses this method of matching a unique job message identifier with templates in a job ticket template database in order to assemble a job ticket.

For at least this reason, it is clear that Lynch does not teach the elements of Applicant's claim 1.

(b) “Update the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket”

In the Final Office Action, the Examiner additionally argues that Lynch teaches “update[ing] the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket” as recited in Applicant’s claim 1. As made clear above, Lynch simply does not discuss updating an original job ticket. Lynch discusses assembling or establishing a job ticket based on matching a unique job message identifier with templates in a job ticket template database. It is worth noting that the title of Lynch’s disclosure is, “Method And System Of Determining A Job Ticket For A Print Stream Determining Process”.

The Examiner relies on Lynch at col. 4, line 64 to col. 5, line 6, col. 5, lines 22-29, and col. 8, lines 47-60 (please see second Advisory Action dated 08/18/2005, wherein the Examiner notes on page 2 that the reference to column 7, lines 47-60, in the Final Office Action was intended to be a reference to column 8, lines 47-60). However, at col. 4, lines 64 to col. 5, line 6, and col. 5, lines 22-29, Lynch discloses that statistical and process data can be used by InStream clients to manage the document creation process. There is, however, no mention of modifying the original job ticket.

In the Advisory Action dated 08/18/2005, the Examiner points to Lynch at column 8, lines 47-60, and states that this Lynch reference clearly teaches updating the original job ticket. However, as noted above, Lynch merely discloses a process of trying to match elements of a job message identifier with templates in a job ticket template database

(Abstract; co. 3, lines 55-58; col. 6, lines 64-67). Lynch does not disclose updating or modifying a job ticket. The job message identifier in Lynch is not a job ticket. “[T]he identifier is representative of a particular print processing job” (Abstract; col. 2, lines 59-63). The identifier includes elements that are identified and mapped to templates in the job ticket template database in an attempt to match the identifier with a template in the database (Abstract; col. 3, lines 1-8; col. 7, lines 37-40). If a match exists, the matched template is selected to establish a new job ticket (Abstract; col. 3, lines 15-17; col. 8, lines 27-33). This “new job ticket” is itself, an original job ticket. It is not an update or modification of an original job ticket, or of any previously existing job ticket. If there is no match, then the next closest match between the identifier and any one of the templates is determined to establish a match based on a set of rules and element weighting (Abstract; col. 3, lines 17-21; col. 8, lines 40-43). Again, if a match exists, the matched template is selected to establish a new job ticket (Abstract; col. 3, lines 25-27; col. 8, lines 37-43). Again, this “new job ticket” is itself, an original job ticket. It is not an update or modification of an original job ticket, or of any previously existing job ticket. If no match is established based on the set of rules and element weighting, then a new job ticket template is generated based on a new set of job parameters. The parameters are evaluated and then embedded in a new job ticket (Abstract; col. 3, lines 32-35; col. 8, lines 44-54). Again, this “new job ticket” is itself, an original job ticket. It is not an update or modification of an original job ticket, or of any previously existing job ticket.

Accordingly, it is clear that there is no teaching or suggestion in Lynch regarding updating or modifying an original job ticket as recited in Applicant’s claim 1. For this

additional reason, it is clear that Lynch does not teach the elements of Applicant's claim.

1.

(c) "A work flow controller configured to separately assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider"

In the Final Office Action, the Examiner admits that Lynch does not teach "a work flow controller configured to separately assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider". For this teaching, the Examiner instead relies on Armstrong, and asserts that this element of Applicant's claim 1 is taught at paragraphs 0006, 0014, 0016-0021, and 0025-0027.

As noted above, Armstrong discloses a method and computer interface for assembling books. At paragraph 0006, Armstrong discusses in a Background section, physical activities taking place in a typical print shop, such as a customer handing documents to a clerk and relaying instructions for producing a finished product. Armstrong discusses the clerk writing instructions on a piece of paper called a job ticket and handing the job to an operator who runs a production printer to produce the finished

output. There is nothing in this passage the same as or remotely analogous to “a work flow controller configured to separately assign one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider”, as recited in Applicant’s claim 1.

In paragraph 0014, Armstrong discusses “the production work flow 100 in a typical production print shop such as a commercial high volume copy or print shop”. Armstrong defines workflow “as the tasks, procedural steps, organizations or people involved, required input and output information, and tools needed for each step in a business process”. Armstrong then discusses “a workflow approach to analyzing and managing a business or process such as production printing”. Nowhere in this passage, however, does Armstrong discuss anything akin to Applicant’s claimed “work flow controller configured to separately assign one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider”.

In paragraphs 0016-0021, Armstrong continues a discussion of the production workflow 100 as including “the procedural stages of job origination 102, job submission 104, job preparation 106, print production 108 and final fulfillment 110”. The overwhelming amount of nonspecifically cited text from Armstrong is provided as follows:

[0016] The production workflow 100 includes the procedural stages of job origination 102, job submission 104, job preparation 106, print production 108 and final fulfillment 110. Alternatively, one or more of these procedural stages may be combined as well as there may be other additional procedural stages. Job origination 102 is the procedural stage of receiving the documents and instructions, which together are defined as a "job", from the customer. Job origination 102 can occur when a customer physically brings his job, whether in hard copy or electronic form, to the print shop or otherwise transmits the job to the print shop, whether by phone, fax, postal mail, electronic mail or over a local area or wide area network such as over the Internet. Note that a job may contain more than one document and more than one set of instructions. For example, a job may contain many documents, each being one chapter of a book, along with a document containing a cover for the book. This exemplary job may include the instructions for producing the body of the book from the individual chapter documents and another set of instructions for producing the cover. In addition, as will be discussed below, there may be a third set of instructions for assembling the cover to the body of the book.

[0017] Job submission 104 is the receipt of the job by the print shop and the entering of the job into the print shops production system or workflow. Typically the instructions from the customer will be written down on a special form, known as a "ticket" or "job ticket". A ticket may also be electronically created and maintained. Furthermore, pre-defined tickets may be available for standardized instructions. For example, the shop may have a pad of pre-printed tickets with the instructions to duplicate the documents, three hole punch the final output and assemble the punched final output in a three ring binder. If this is a common request by customers, such pre-printed tickets can save time and resources. All the order taking clerk need do is fill in any customer specific details such as the number of copies to produce. Pre-defined tickets may help to standardize operations and prevent errors in the transcription of instructions from the customer. In very simple print shops, job submission 104 may simply be the receiving of the original documents and instructions along with the creation of a ticket, placing the job in a paper folder and setting it in a physical queue for later handling in subsequent procedural stages.

[0018] In print shops which handle jobs electronically, job submission 104 requires entering the job into the shops electronic production system. For documents which are brought in by the customer as hard copy, the documents must first be scanned electronically into the shop's computer system. For documents delivered in electronic form, the document data files must be loaded on the shop's computer system.

[0019] For the job submission stage 104, the computer network 112 will include one or more "store front" workstations 114. The store front workstations 114 are computer systems placed at the order taking

desk, at a manned clerk's station or set out for customer self service use. These workstations 114 are used for the job submission stage 104 and typically will be configured to handle many different electronic media types such as floppy disk, compact disc, tape, etc. These stations 114 may also be configured to receive jobs over the Internet or other form of network connection with customers. Further, these workstations 114 are typically configured to read many different electronic file formats such as those used by the Microsoft Office.TM. family of products manufactured by Microsoft Corporation, located in Redmond, Washington or various other desktop publishing program file formats such as Aldus Pagemaker.TM. or QuarkXpress.TM.. In addition, these stations 114 can also read "ready for printer" file formats, which will be discussed later, such as Portable Document Format.TM. ("PDF"), Postscript.TM. ("PS") or printer control language ("PCL"). Job preparation stations 114 can also accept image formats such as Tagged Image File Format ("TIFF"), bitmap ("BMP") and PCX. These stations 114 may also include a scanner 116 for scanning hard copies of documents into the computer system. Scanners typically are complicated devices to operate and some print shops may prefer to locate the scanners in the job preparation stage 106 for use solely by trained personnel as will be discussed below. In addition, the store front computers 114 also provide the ability to generate a ticket, electronically or in hard copy form, for the job containing all of the instructions for completing the production printing task. This process of generating the ticket may be automated, involving pre-defined tickets, manual or a combination thereof, and is discussed in more detail below.

[0020] Job preparation 106 involves preparing the documents for printing according to the instructions in the ticket. For documents that are submitted in hard copy form, job preparation 106 may include scanning the documents and creating a faithful and error free electronic reproduction. The documents, once in electronic form, must also be distilled down or converted into a common file format that the print shop can use to both edit and print the documents. This alleviates the need for operators to deal with multiple different programs and eliminates the need to assemble complex documents together for printing using different electronic file formats.

[0021] For example, a customer may bring in two different documents, one being the body of a book and the other being the photographs to be inserted at specific pages. The customer may then instruct that the photographs be inserted at particular pages and that the final assembly have continuous page numbers added. The body of the book may be in Microsoft Word.TM. format while the images of the photographs are in Adobe Photoshop.TM. format. While the operator could figure out at which pages the images will be inserted and appropriately number the pages of the book and photographs using each individual software package, this is a very complex and time consuming

process. It also requires that the operator be trained and familiar with a range of software packages and runs the risk that he will not be familiar with the particular package that the customer used. Therefore, it is more efficient to distill each of the various file formats into a unified format which allows the operator to prepare the job using a single software interface. In the preferred embodiments, all documents, whether provided in hard copy or electronically, are distilled or converted into a "ready for printer" or "print ready" file format. In the preferred embodiments, the Portable Document Format.TM. is used as the ready for printer format, developed by Adobe Systems, Inc., located in San Jose, Calif.

As with the previous passages of Armstrong noted above, there is simply nothing in the voluminous text of paragraphs 0016-0021 that teaches or discusses a "workflow controller . . ." as recited in Applicant's claim 1. Appellant notes and admits, however, that the word "workflow" does appear in this body of text.

Finally, in paragraphs 0025-0027, Armstrong discusses the print production stage of the print production workflow as follows:

[0025] The next stage in the print production workflow 100 is the print production stage 108. In the print production stage 108, the final form of the documents for printing is sent to a print server 120 which will distribute the job to the final output device 122. In manual print shops, this stage 108 would be similar to an operator manually taking the ready for production job over to the desired output device 122 to start the job. The print production stage 108 manages the output resources of the print shop. Such management includes queuing jobs to the proper devices 122 in the shop, routing jobs to available devices 122, balancing the load placed on the various devices 122, and pre-processing jobs, such as splitting or RIP'ing the job, prior to sending it to a particular device 122. RIP stands for Raster Image Processor and is the hardware and/or software which converts ready for printer data into raster images. It is also a common term for rasterizing a page image on to the output media.

[0026] The print server 120 used in the print production stage 108 is coupled with the job preparation stations 116 and the network server 118 over the network 112. Further, the print server 120 is coupled with the various output devices 122 in the print shop. Note that some output devices 122 may not support electronic transfer of the data to be output and may require a manual step for operation. Such devices may include a special binding machine which requires that the partially finished documents be manually transferred to the binding machine to complete

the production. The print server 120 is preferably implemented as a separate computer coupled with the network 112, however, software based print servers running on a network server 118, job preparation station 116 or store front workstation 114 may also be used. In the preferred embodiment, the printer server 120 includes an independent computer workstation, typically running a UNIX or Windows NT operating system, a software print server engine and a software print server application. The print server application offers the user interface ability to configure and manage the print server operation. The print server engine performs the automated processes of the print server. These processes include spooling and queuing jobs and job content (i.e. the document), directing the jobs to specific production output devices based on the attributes of the print job and how these attributes are satisfied by the print engine, load balancing jobs among the various production output devices to keep all printers fully utilized, e.g. to split color from black and white jobs, and acting as a communication gateway where it can accept multiple input communication and print protocols translating them to the communication and print protocol the production output device 122 understands.

[0027] The final stage of the production printing workflow 100 is the final fulfillment stage 110. The final fulfillment stage 110 is the stage where the finished output is produced on the production output device 122. A production output device is a computer output device, such as a printer, designed for high volume production of printed documents. Such devices preferably include the ability to produce large quantities of documents with mixed media types and various degrees of finishing, such as stapling or binding, at very high speed. Exemplary output devices include the Digimaster.TM. Digital High Volume Printer manufactured by Heidelberg Digital, L.L.C., located in Rochester, N.Y.

In this passage, Armstrong mentions that managing the output resources of the print shop includes "queuing jobs to the proper devices 122 in the shop, routing jobs to available devices 122, balancing the load placed on the various devices 122, and pre-processing jobs, such as splitting or RIP'ing the job, prior to sending it to a particular device 122". However, this does not amount to "separately assign[ing] one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected task processor". In fact, Armstrong states that jobs (whole jobs) are sent to "a particular device 122". There

is no mention of assigning tasks from a single job ticket to different processors. Armstrong also states that a print server performs automated processes of "spooling and queuing jobs and job content (i.e. the document), directing the jobs to specific production output devices based on the attributes of the print job", etc. Again, however, there is nothing in Armstrong that teaches separately assigning one or more tasks from a single original job ticket to selected task processors as recited in Applicant's claim 1.

(d) Combination of Lynch and Armstrong

As noted above, Lynch fails to teach several elements of Applicant's claim 1, including receiving status updates from task processors that are responsible for performing a task from an original job ticket and updating the original job ticket. Armstrong does not cure the deficiencies of Lynch, as Armstrong also does not teach these elements.

Furthermore, Armstrong fails to teach elements of Applicant's claim 1, including a work flow controller configured to separately assign one or more tasks from a single original job ticket to selected task processors. The Final Office Action admits that Lynch does not teach such elements.

Accordingly, the combination of Lynch and Armstrong fails to teach the elements of Applicant's claim 1. Therefore, a *prima facie* case of obviousness is not supported and the rejection of claim 1 should be removed.

**(e) Combination of Lynch, Armstrong, Kovnat, Thornton,
Ferlitsch, and Morales**

As just noted, the combination of Lynch and Armstrong fails to teach all the elements of Applicant's claim 1. Furthermore, a review of the additionally cited references, Kovnat, Thornton, Ferlitsch, and Morales, reveals that such references fail to cure the deficiencies noted above with Lynch and Armstrong. Moreover, such references are not cited as teaching such elements of Applicant's claim 1.

Accordingly, the combination of all cited references, Lynch, Armstrong, Kovnat, Thornton, Ferlitsch, and Morales, fails to teach the elements of Applicant's claim 1. Therefore, a *prima facie* case of obviousness is not supported and the rejection of claim 1 should be removed.

(f) Dependent Claims

Given that the combination of Lynch, Armstrong, Kovnat, Thornton, Ferlitsch, and Morales, does not render claim 1 obvious, it follows that such combination likewise does not render obvious claims 2-7, which depend from claim 1 and incorporate all of the limitations of claim 1. Claims 2-7 are therefore allowable over the combination of these references for at least this reason.

(e) Conclusion

In view of the above, Applicant respectfully submits that claims 1-7 are allowable over Lynch, Armstrong, Kovnat, Thornton, Ferlitsch, and Morales. Applicant therefore respectfully requests that the rejection as to claims 1-7 be withdrawn.

2. Claims 13-20

With reference first to Applicant's independent claim 13, Applicant recites (emphasis added):

13. A method for controlling tasks in a multi-tasking network, comprising:

receiving a job ticket at a job ticket service;
creating a job ticket reference to the job ticket;
storing the job ticket reference;

controlling access to original job tickets by the job ticket service where the job ticket is configured to define a job including one or more tasks to be performed;

assigning the one or more tasks from a single original job ticket to selected processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected processor that identifies the single original job ticket and the job ticket service, where the selected processors can include an external service provider;

receiving status updates from the selected processors relating to an assigned task that are identified by the job ticket reference; and

updating the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket.

Regarding independent claim 13, Applicant asserts that neither Lynch nor Armstrong teach or suggest the elements of "assigning the one or more tasks from a single original job ticket to selected processors . . .", "receiving status updates from the selected processors relating to an assigned task that are identified by the job ticket reference", or "updating the original job ticket associated with the job ticket reference

based on the status update, such that the job ticket service controls modification of the original job ticket”, as is required by independent claim 13. Appellant refers back to the discussions provided in the foregoing. At least because of those reasons already discussed, claim 13 is allowable over Lynch and Armstrong.

Furthermore, as discussed above, the additional references of Kovnat, Thornton, Ferlitsch, and Morales, fail to cure the deficiencies noted above with Lynch and Armstrong. Moreover, such references are not cited as teaching such elements of Applicant’s claim 13.

Accordingly, the combination of all cited references, Lynch, Armstrong, Kovnat, Thornton, Ferlitsch, and Morales, fails to teach the elements of Applicant’s claim 13. Therefore, a *prima facie* case of obviousness is not supported and the rejection of claim 13 should be removed.

In addition, because the combination of Lynch, Armstrong, Kovnat, Thornton, Ferlitsch, and Morales, does not render claim 13 obvious, it follows that such combination likewise does not render obvious claims 14-20, which depend from claim 13 and incorporate all of the limitations of claim 13. Claims 14-20 are therefore allowable over the combination of these references for at least this reason.

In view of the above, Applicant respectfully submits that claims 13-20 are allowable over Lynch, Armstrong, Kovnat, Thornton, Ferlitsch, and Morales. Applicant therefore respectfully requests that the rejection as to claims 13-20 be withdrawn.

3. Claim 23

With reference first to Applicant's independent claim 13, Applicant recites (emphasis added):

23. A computer-readable medium for providing computer executable instructions for causing a computer to perform a method, the method comprising:

controlling access to original job tickets where a job ticket is configured to define a job including one or more tasks to be performed;

assigning different tasks from a single original job ticket to different task processors by distributing a ticket copy of the single original job ticket and distributing a job ticket reference to each task processor that identifies the single original job ticket and a job ticket service, where the different task processors can include an external service provider;

receiving status updates from the different task processors relating to an assigned task that are identified by the job ticket reference;
and

updating the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket.

Regarding independent claim 23, Applicant asserts that neither Lynch nor Armstrong teach or suggest the elements of "assigning different tasks from a single original job ticket to different task processors . . .", "receiving status updates from the different task processors relating to an assigned task that are identified by the job ticket reference", or "updating the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the

original job ticket”, as is required by independent claim 23. Appellant refers back to the discussions provided in the foregoing. At least because of those reasons already discussed, claim 23 is allowable over Lynch and Armstrong.

Furthermore, as discussed above, the additional references of Kovnat, Thornton, Ferlitsch, and Morales, fail to cure the deficiencies noted above with Lynch and Armstrong. Moreover, such references are not cited as teaching such elements of Applicant’s claim 23.

Accordingly, the combination of all cited references, Lynch, Armstrong, Kovnat, Thornton, Ferlitsch, and Morales, fails to teach the elements of Applicant’s claim 23. Therefore, a *prima facie* case of obviousness is not supported and the rejection of claim 23 should be removed.

VIII. Conclusion

In summary, it is Applicant's position that Applicant's claims are patentable over the applied prior art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicant's pending claims.

Respectfully submitted,

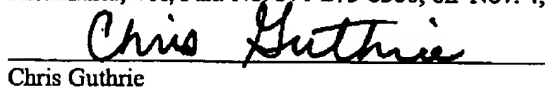
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Chris Guthrie

Claims Appendix under 37 C.F.R. §41.37(c)(1)(viii)

The following are the claims that are involved in this Appeal.

1. An apparatus that controls tasks in a multi-tasking computer network, comprising:

a job ticket service, being configured to:

function as a centralized service for controlling access to original job tickets where a job ticket is configured to define a job including one or more tasks to be performed and includes a job ticket reference;

receive status updates from task processors that are responsible for performing a task from an original job ticket where the task is associated to the job ticket reference; and

update the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket; and

a work flow controller configured to separately assign the one or more tasks from a single original job ticket to selected task processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected task processor that identifies the single original job ticket and the job ticket service, where the selected task processors can include an external service provider.

2. The apparatus of claim 1, further comprising:

a job ticket storage for maintaining the original job tickets.

3. The apparatus of claim 2, wherein the job ticket service is configured to allow the selected task processors to access to the original job tickets using the job ticket reference.

4. The apparatus of claim 1, wherein the job ticket service is configured to limit access to the original job ticket by a selected task processor to a portion of the original job ticket and prohibits access to other portions of the original job ticket.

5. The apparatus of claim 1 wherein the job ticket service assigns the one or more tasks from the single original job ticket based on bids received from one or more task processors.

6. The apparatus of claim 1, wherein the job ticket reference is configured to be passed between multiple task processors to allow access to at least a portion of a corresponding original job ticket.

7. The apparatus of claim 1, further comprising a job store that stores job content, and wherein the original job ticket comprises:

a service identification that correlates the original job ticket to the job ticket service;

a job identification that correlates the original job ticket to the job content; and

a control module that includes parameters that define processes required to complete a task.

13. A method for controlling tasks in a multi-tasking network, comprising:

- receiving a job ticket at a job ticket service;
- creating a job ticket reference to the job ticket;
- storing the job ticket reference;
- controlling access to original job tickets by the job ticket service where the job ticket is configured to define a job including one or more tasks to be performed;
- assigning the one or more tasks from a single original job ticket to selected processors by distributing a ticket copy of the single original job ticket and distributing the job ticket reference to each selected processor that identifies the single original job ticket and the job ticket service, where the selected processors can include an external service provider;
- receiving status updates from the selected processors relating to an assigned task that are identified by the job ticket reference; and
- updating the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket.

14. The method of claim 13, further comprising:

- providing the job ticket reference to a processor in the network; and

providing the processor with access to the job ticket based on the job ticket reference.

15. The method of claim 14, wherein access to the job ticket is limited to a portion of the job ticket.

16. The method of claim 13, further comprising:
receiving a job content corresponding to the job ticket;
storing the job content in the network; and
providing the processor access to the job content.

17. The method of claim 13, further comprising:
receiving a capability of a plurality of processors;
receiving an availability of each of the plurality of processors; and
selecting one or more of the plurality of processors to process the job ticket.

18. The method of claim 17, further comprising, when each processor of the selected one or more processors completes a process, receiving an update to information in the job ticket.

19. The method of claim 17, wherein the selecting step is completed by a work flow controller in the network.

20. The method of claim 17, wherein the selecting step is completed by an entity submitting the job ticket into the network.

23. A computer-readable medium for providing computer executable instructions for causing a computer to perform a method, the method comprising:

controlling access to original job tickets where a job ticket is configured to define a job including one or more tasks to be performed;

assigning different tasks from a single original job ticket to different task processors by distributing a ticket copy of the single original job ticket and distributing a job ticket reference to each task processor that identifies the single original job ticket and a job ticket service, where the different task processors can include an external service provider;

receiving status updates from the different task processors relating to an assigned task that are identified by the job ticket reference; and

updating the original job ticket associated with the job ticket reference based on the status update, such that the job ticket service controls modification of the original job ticket.

Evidence Appendix under 37 C.F.R. §41.37(c)(1)(ix)

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix under 37 C.F.R. §41.37(c)(1)(x)

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.